

1 KEVIN V. RYAN (CSBN 118321)
United States Attorney

2 MARK L. KROTOSKI (CSBN 138549)
3 Chief, Criminal Division

4 THOMAS M. O'CONNELL (NYSBN 1801950)
Assistant United States Attorney

5 150 Almaden Blvd., Suite 900
6 San Jose, California 95113
Telephone: (408) 535-5053
7 FAX: (408) 535-5066
Thomas.M.OConnell@usdoj.gov

8 Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN JOSE DIVISION

E-FILED - 9/20/06

13 UNITED STATES OF AMERICA,)	No. CR 06-00425 RMW
14 Plaintiff,)	
15 v.)	STIPULATION AND
)	ORDER EXCLUDING TIME
16 CHRISTINA MARIE FLORES, and)	
17 JOSE LITO CAMPOS,)	
18 Defendants.)	SAN JOSE VENUE

19
20 On August 28, 2006, the parties in this case appeared before the Court for an initial
21 appearance. The parties jointly requested that the case be continued to August 28, 2006 at 9:00
22 a.m. in order for both defense counsel to review the discovery in this case. In addition, the
23 parties requested an exclusion of time under the Speedy Trial Act from August 28, 2006 until
24 September 18, 2006. Defendant Flores, who was not present, agreed through her attorney, J.A.
25 Hudson, to the exclusion. Defendant Campos, who was present with his attorney Assistant
26 Federal Public Defender Cynthia Lie, also agreed to the exclusion. The parties agree and
27 stipulate that an exclusion of time is appropriate based on the defendant's need for effective
28 preparation of counsel.

1 SO STIPULATED:

KEVIN V. RYAN
United States Attorney

2
3 DATED:

/s/
THOMAS M. O'CONNELL
Assistant United States Attorney

4
5 DATED:

/s/
CYNTHIA C. LIE
Assistant Federal Public Defender
Counsel for Mr. Campos

6
7
8 DATED:

/s/
J.A. HUDSON
Counsel for Ms. Flores

9
10
11 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded
12 under the Speedy Trial Act from August 28, 2006 until September 18, 2006. The Court finds,
13 based on the aforementioned reasons, that the ends of justice served by granting the requested
14 continuance outweigh the best interest of the public and the defendant in a speedy trial. The
15 failure to grant the requested continuance would deny defense counsel reasonable time necessary
16 for effective preparation, taking into account the exercise of due diligence, and would result in a
17 miscarriage of justice. The Court therefore concludes that this exclusion of time should be made
18 under 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

19 SO ORDERED.

20
21 DATED: 9/20/06

/S/ RONALD M. WHYTE
RONALD M. WHYTE
United States District Judge